IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

CIVIL APPLICATION NO. 818 OF 2006
IN
WRIT PETITION NO. 10198 OF 2004

Office Notes, Office Memoranda of of Coram, appearances, Court's orders and Registrar's orders : Court's or Judge's orders

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Mr. A.A. Lokhandwala for the applicant.

Mr. S.M. Vyas for the respondents.

CORAM: P.V. KAKADE, J.

DATED: 25TH APRIL, 2006

P.C.:

1. Heard learned counsel for both parties. They have filed consent terms which are taken on record and marked "X" for identification.

2. By order dated 27.1.2005, this Court disposed of the petition with direction that usual undertaking to be filed by the petitioner within four weeks from the date of that order. The undertaking was directed to be filed and till then the respondents were directed not to execute the decree upto 1.8.2005.

3. Now the civil application is filed seeking that the applicant-petitioner to be relieved of the undertaking to vacate the premises being Flat No.1 for the grounds mentioned in the application. However, now the parties have come to the settlement and by consent the petitioner is ready to vacate the premises.

4. Hence, the civil application stands disposed of in terms of the consent terms which are marked "X" for identification. The undertaking in the consent terms is duly accepted.

Civil application stands disposed of with no order as to costs.

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